

House File 2414

H-8068

1 Amend House File 2414 as follows:

2 1. Page 1, line 22, by striking <hire> and  
3 inserting <hire, or a shared expense carpool or vanpool  
4 arrangement>

5 2. Page 2, after line 15 by inserting:

6 <Sec. \_\_\_\_\_. NEW SECTION. 321N.2 Exclusions —  
7 driver requirements.

8 1. A transportation network company, a  
9 transportation network company driver, or a personal  
10 vehicle used to provide a prearranged ride is not a  
11 motor carrier as defined in section 325A.1, private  
12 carrier as defined in section 325A.1, charter carrier  
13 as defined in section 325A.12, or common carrier.

14 2. Prior to permitting an individual to act  
15 as a transportation network company driver on a  
16 transportation network company's digital network, the  
17 company shall do all of the following:

18 a. Require the individual to submit an application  
19 to the company with the individual's name, address,  
20 and age, and with copies of the individual's driver's  
21 license, the registration for the personal vehicle the  
22 individual will use to provide prearranged rides, proof  
23 of financial responsibility covering the driver in the  
24 types and amounts required by section 321N.3, and any  
25 other information required by the company.

26 b. Conduct, or instruct a third party to conduct,  
27 a local and national criminal background check on the  
28 individual and a search of the national sex offender  
29 registry database for the individual.

30 c. Obtain and review a driving history research  
31 report on the individual.

32 3. A transportation network company shall not  
33 knowingly allow an individual to act as a driver on  
34 the company's digital network if any of the following  
35 apply:

1     a. The individual has been convicted of more than  
2 three moving violations.

3     b. The individual has been convicted of violating  
4 section 321.218, 321.277, or 321J.21, or section  
5 321A.32, subsection 1, in the prior three-year period.

6     c. The individual has been convicted in the prior  
7 seven-year period of a felony, of violating section  
8 321J.2 or 321J.2A, or of any crime involving resisting  
9 law enforcement, dishonesty, injury to another person,  
10 damage to the property of another person, or operating  
11 a vehicle in a manner that endangers another person.

12     d. The individual is registered on the national sex  
13 offender registry.

14     e. The individual is unable to provide any  
15 information required by this section.

16     4. A transportation network company shall adopt and  
17 enforce a zero tolerance policy prohibiting the use of  
18 drugs or alcohol by a transportation network company  
19 driver while the driver is providing a prearranged ride  
20 or is logged on to the company's digital network and  
21 available to receive requests for transportation from  
22 potential riders. The policy shall include provisions  
23 providing for the investigation of alleged violations  
24 of the policy and the suspension of drivers under  
25 investigation.

26     5. A transportation network company shall require  
27 that a personal vehicle used to provide prearranged  
28 rides shall comply with all applicable motor vehicle  
29 equipment requirements.>

30     3. Page 2, line 16, by striking <321N.2> and  
31 inserting <321N.3>

32     4. Page 3, line 5, after <accident.> by inserting  
33 <If there is a lien on the personal vehicle used by the  
34 driver while the driver is logged on to a company's  
35 digital network and is available to receive requests

1 for a prearranged ride, primary automobile insurance  
2 maintained pursuant to paragraph "c" shall also include  
3 comprehensive physical damage coverage and collision  
4 physical damage coverage.>

5 5. Page 3, line 21, after <accident.> by inserting  
6 <If there is a lien on the personal vehicle used by the  
7 driver while the driver is engaged in a prearranged  
8 ride, primary automobile insurance maintained pursuant  
9 to paragraph "c" shall also include comprehensive  
10 physical damage coverage and collision physical damage  
11 coverage.>

12 6. Page 4, line 33, by striking <321N.3> and  
13 inserting <321N.4>

14 7. Page 5, line 12, by striking <321N.4> and  
15 inserting <321N.5>

16 8. Page 6, line 18, by striking <potentially>

17 9. Page 6, lines 26 and 27, by striking <that  
18 resulted in the claim>

19 10. Page 6, after line 30 by inserting:

20 <Sec. \_\_\_\_\_. Section 325A.1, subsections 6, 7, and  
21 13, Code 2016, are amended to read as follows:

22 6. "Motor carrier" means a person defined in  
23 subsection 8, 9, or 10, but does not include a  
24 transportation network company or a transportation  
25 network company driver, as defined in section 321N.1.

26 7. "Motor carrier certificate" means a certificate  
27 issued by the department to any person transporting  
28 passengers on any highway of this state for hire,  
29 other than a transportation network company or a  
30 transportation network company driver, as defined in  
31 section 321N.1. This certificate is transferable.

32 13. "Private carrier" means a person who provides  
33 transportation of property or passengers by motor  
34 vehicle, is not a for-hire motor carrier or a  
35 transportation network company or a transportation

1 network company driver, as defined in section 321N.1,  
2 or who transports commodities of which the person is  
3 the owner, lessee, or bailee and the transportation  
4 is a furtherance of the person's primary business or  
5 occupation.

6 Sec. \_\_\_\_\_. Section 325A.11, Code 2016, is amended to  
7 read as follows:

8 **325A.11 Passenger transportation.**

9 In addition to the requirements of subchapter 1,  
10 motor carriers of passengers and charter carriers shall  
11 comply with the requirements of this subchapter. A  
12 transportation network company or a transportation  
13 network company driver, as defined in section 321N.1,  
14 need not comply with the requirements of subchapter 1  
15 or this subchapter.

16 Sec. \_\_\_\_\_. Section 325A.12, subsection 3, Code 2016,  
17 is amended by adding the following new paragraph:

18 NEW PARAGRAPH. e. A transportation network company  
19 or a transportation network company driver, as defined  
20 in section 321N.1.

21 Sec. \_\_\_\_\_. Section 327D.1, Code 2016, is amended to  
22 read as follows:

23 **327D.1 Applicability of chapter.**

24 This chapter applies to intrastate transportation  
25 by for-hire common carriers of persons and property.  
26 However, this chapter does not apply to regular route  
27 motor carriers of passengers or charter carriers, as  
28 defined under section 325A.12, or a transportation  
29 network company or a transportation network company  
30 driver, as defined in section 321N.1.>

31 11. Page 6, line 32, by striking <321N.2> and  
32 inserting <321N.3>

33 12. Page 6, line 34, by striking <321N.2> and  
34 inserting <321N.3>

35 13. By renumbering, redesignating, and correcting

1 internal references as necessary.

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PETTENGILL of Benton